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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

DERRICK COE BAKER,

CV. 06-1325-HA

Plaintiff,

ORDER

v.

GUY HALL, et al.,

Defendants.

HAGGERTY, District Judge.

This civil rights action comes before the court on plaintiff's Motion for Summary Judgment [57] filed on July 24, 2008. Plaintiff's Motion actually seeks an order of default based on defendants' alleged failure to timely respond to plaintiff's Motion for Summary Judgment [48] which he filed on March 26, 2008. Defendants' response to the Motion for Summary Judgment [48] was due on August 11, 2008, 18 days **after** plaintiff asked the court to enter an order of default for failure to respond. As defendants filed their Response [58] to the Motion for Summary Judgment [48] ten days early on August 1, 2008, they timely responded to

plaintiff's Motion. Accordingly, plaintiff's Motion for Summary Judgment [57] is DENIED.

Also before the court is plaintiff's Request for Clarification [62] in which he asks the court about the status of this case. The Clerk of Court is DIRECTED to send plaintiff a docket sheet detailing the activity in his case to date.

IT IS SO ORDERED.

DATED this 2 day of ~~August~~<sup>Sept</sup>, 2008.

  
Ancer L. Haggerty  
United States District Judge